

Atty's Dkt: EIS-SCHWARTZ32A

In re Application of:  
Michal EUSEBACH-SCHWARTZ et al.  
Serial No. 10/578,899  
IA Filing Date: November 11, 2004  
For: VACCINE

) Application Division  
) ATTN: PCT  
) Washington, D.C.  
) Confirmation No. 3343  
) Date: January 31, 2007

**LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371**

U.S. Patent and Trademark Office  
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Randolph Building, Mail Stop Missing Parts  
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Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated January 12, 2007. Attached hereto is/are:

- [XX] Three (3) executed oaths or declarations in compliance with 37 C.F.R. 1.63, identifying the present application by PCT information and priority information.  
[XX] Application Data Sheet  
[XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy with disk.  
[XX] Additional fees as calculated below:

|  |                        |            |
|--|------------------------|------------|
| Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)). |                        | \$130.00   |
| Number of each additional 50 pages or fraction thereof (round up to a whole number)  | RATE                   |            |
|  | X \$250.00             |            |
| Number of Claims Previously Paid For   | Number of Extra Claims | Rate       |
| 14- 20 =   | 0                      | X \$ 50.00 |
| 9- 3 =   | 6                      | X \$200.00 |
| Multiple Dependent Claims (if applicable)  |                        | + \$360.00 |
| TOTAL OF ABOVE CALCULATIONS  |                        | \$1330.00  |
| Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.                                       |                        | <\$ >      |
| SUBTOTAL   |                        | \$1330.00  |
| Processing fee of \$130.00 for late furnishing of the English translation.   |                        | \$         |
| TOTAL NATIONAL FEE   |                        | \$1330.00  |

- [ ] Surcharge for late filing of the Declaration was paid on \_\_\_\_\_.  
[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

| Response Filed Within |              |
|-----------------------|--------------|
| [ ] First             | - \$ 60.00   |
| [ ] Second            | - \$ 225.00  |
| [ ] Third             | - \$ 510.00  |
| [ ] Fourth            | - \$ 795.00  |
| [ ] Fifth             | - \$1,080.00 |

month after time period set

Other Than Small Entity

| Response Filed Within |              |
|-----------------------|--------------|
| [ ] First             | - \$ 120.00  |
| [ ] Second            | - \$ 450.00  |
| [ ] Third             | - \$1,020.00 |
| [ ] Fourth            | - \$1,590.00 |
| [ ] Fifth             | - \$2,160.00 |

month after time period set

- [XX] Total fees enclosed: \$1330.00  
[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$1330.00 is enclosed to cover the above fees.  
[XX] Conditional Petition for Extension of Time:  
If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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01 FC:1617 130.00 0P  
02 FC:1614 1200.00 0P

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